

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7222

BILL NUMBER: SB 348

NOTE PREPARED: Jan 10, 2003

BILL AMENDED:

SUBJECT: Judicial salary adjustments.

FIRST AUTHOR: Sen. Bray

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: This bill has the following provisions:

(A) It provides that full-time judges and justices automatically receive a salary increase in each fiscal year that the General Assembly does not provide a salary increase.

(B) It provides that the automatic salary increase is the same statewide or cost of living percentage increase received for that fiscal year by state employees in the executive branch who are in the same or a similar salary bracket. (The introduced version of this bill was approved by the Commission on Courts.)

Effective Date: July 1, 2003.

Explanation of State Expenditures: The added expenditure that would result from this bill would depend on the salary increase granted to other state employees. *Each 1% increase results in an additional cost of \$501,590 to the State General Fund.*

The Office of State Court Administration reports that 588 judicial officers serve in either appointed or elected offices in 2003.

Increasing the salaries of trial court judges will also increase the salaries of other court officers which are linked in statute.

- The salaries of magistrates are defined in statute as 80% of the salary of a trial court judge (IC 33-4-7-9.1).
- The salaries of juvenile court magistrates are also 80% of the salary of trial court judges, but the

county pays \$41,393 of the total salary (IC 33-13-12-8.2).

- The salaries of the prosecuting attorneys are the same as the salaries of the judges of the circuit court (IC 33-14-7-5).

Prosecuting attorneys may elect to work part-time. If they do, then their salary will either be 60% or 66% of the salary of a full-time prosecuting attorney, depending on whether there are correctional facilities or state mental facilities located in the county in which they serve.

Deputy prosecuting attorneys who are paid by the state may also elect to work on a part-time basis. Part-time deputy prosecuting attorneys are paid 75% of the salary of prosecuting attorneys (IC 33-14-7-2).

The following table shows the numbers and current salaries.

Judicial Officers in Indiana			
Judicial Officers		Number	Current Salaries
Justices, Judges and Other Court Officers	Supreme Court Justices	5	\$115,000
	Court of Appeals Judges	16	\$110,000
	Trial Court Judges:	299	\$90,000
	Magistrates	49	\$72,000
	Juvenile Court Referees:	17	\$30,607
Prosecuting Attorneys	Full Time:	63	\$90,000
	Part Time at 66%	10	\$59,400
	Part Time at 60%	17	\$54,000
Deputy Prosecuting Attorneys	Full Time:	63	\$67,500
	Deputies at 66%	20	\$44,550
	Deputies at 60%	29	\$40,500
Total Number		588	

The estimated cost of increasing these salaries by 1% is estimated to increase salary expenditures of \$502,000. These costs include increased salaries and the subsequent increase in the state's contribution to Social Security, FICA, Life and Disability Insurance premiums.

Estimated Increase in State Expenditures By 1% Increase in Salaries of Justices and Judges		
Justices, Judges and Other Court Officers	Salaries	\$339,970
	Life and Disability Insurance	\$8,534
	Social Security and Medicare	\$7,876
	Judges Retirement Fund	\$0
Prosecuting Attorneys:	Salaries	\$135,000
	Life and Disability Insurance	\$3,388
	Social Security and Medicare	\$6,822
	Pros. Attys. Retirement Fund:	\$0
Additional Expenditures:		\$501,590

Explanation of State Revenues: Approximately \$16,000 would be collected by the state in the form of Individual Adjusted Gross Income taxes for each 1% of additional salaries resulting from this bill.

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Office of State Court Administration.

Local Agencies Affected:

Information Sources: Office of State Court Administration.

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